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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 000435

SIPDIS

NEA/ARP (JSAWYER), NEA/PPD (DBENZE)

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TAGS: PGOV PREL KPAQ KU

SUBJECT: CANDIDATES' ARRESTS RECEIVE MIXED REVIEWS IN MEDIA
AND SOCIETY

REF: A. KUWAIT 372

1B. KUWAIT 244

Classified By: Political Counselor Pete O'Donohue for reasons 1.4 b and
d

Summary

11. (U) Key Points:

-- The GOK makes multiple arrests of parliamentary candidates
evoking debates on freedom of expression.

-- Arrested MPs exploit their arrests to garner public
support.

-- Media reports reflect split opinions: some chastise the
perceived overbearing hand of the government while others
condemn irresponsible statements by candidates.

-- The impact of the arrests remains unclear. Though some
candidacies are propelled by the drama and notoriety, they
may suffer at the May 16 polls.

End summary.

MOI Crackdown on "Errant" Candidates

12. (U) As of April 30, Kuwaiti authorities have arrested and
released several parliamentary candidates (six, to date)
running in the May 16 elections on charges ranging from
challenging the authority of the Amir to holding political
rallies without permits. Some candidates were detained by
authorities for a period of hours while others up to six
days. Some candidates have emerged from detention expressing
remorse and have behaved more circumspectly in their
subsequent remarks, while others, notably tribal Islamist
Dhaifullah Bou Ramiya, remained unrepentant. Dhaifullah has
used his incarceration as a rallying call for popular
support.

Legal Basis for Arrests

13. (U) Though some arrests have been based on the failure to
obtain public permits for rallies, most detentions have
targeted derogatory comments made by candidates about the
Amir. Article 25 of the Internal State Security Crimes Law
calls for five year imprisonments for those convicted of
defaming the Amir, his throne or his powers. This law is
often interpreted to include criticism of Amiri decisions or
appointments, such as in the Bou Ramiya case, where the
former MP declared that (likely) PM-elect (and current
MinDef) Shaykh Jaber al-Mubarak al-Hamad Al Sabah was unfit
to assume the helm of the next government. Testing the
resolve of the GOK, Bou Ramiya -- upon his April 22 release

-- re-uttered verbatim his previous blistering critique of Shaykh Jaber.

Mixed Media Reaction

¶4. (U) The arrests spurred the liberal Arabic language daily Al Rai on April 24 to run a front page story accusing several parliamentary candidates of seeking an "arrest opportunity" for publicity. The story specifically cited the Al-Ajmi tribe's informal -- and illegal -- tribal nomination of Al-Tahous. The prescient story also alleged that other candidates would look for similar "opportunities," and predicted additional arrests would take place in the near future. By April 29, news of more arrests had migrated to the editorial sections of Kuwaiti print dailies. In the liberal Arabic daily Al-Qabas, Abdul Latif Al-Duajj voiced his criticism of the arrests. In his article, which carried the headline "A Campaign Against a Nation, not Individuals, Al-Duajj wrote: "We are pro-change, but the change we seek is a change in the way the Government (of Kuwait) does business and runs its affairs. One thing for sure remains the same: the problem lies within the government which has failed to deal with the National Assembly, and insists on considering it an institution controlled by the Cabinet of Ministers. We are for total change, but not the kind of change which the government is paving the way for these days."

¶5. (U) The arrests have also garnered attention from the regional press. In the Dubai-based publication Gulf News, the April 27 story entitled "Kuwait Heading for Fragmented Parliament," reported (04/27): "so far, four candidates have

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been arrested for insulting the royal family. Two of them were released last week. The other two have been charged with challenging the authority of the Amir, which is considered an offense under the laws of the state." The article interviewed former MP and current candidate, Mohammad Al-Kandari, who said that the arrests were not meant to silence critics of the government but rather were there to "enforce the law at a critical time in the history of the country. The law must be enforced whenever someone breaks it and candidates who want to show off in front of their voters must expect this kind of response from the authorities."

Comment:

¶6. (C) With election rallies in full swing, it is still unclear what impact the Amir's "laying down of the law" (ref A) will have on campaigns. Certainly, the arrests of prominent public figures have resulted in some sympathy and a growth of popular support for several belligerent parliamentary candidates. On the other hand, the law clearly defines direct criticism of the Amir as a red line not to be crossed, and the populace is scrutinizing the ruling family's reaction to such bravado. Bou Ramiya will likely maintain and possibly strengthen his tribal base by his actions, but -- highlighting the growing divide in society -- Kuwaiti hadhar (Arabic for urbanites - ref B) will likely support actions by the GOK that oppose tribal figures. There appears to be a general public consensus at ongoing political rallies that parliament must share part of the cost for failed national leadership, and negative political grandstanding may have consequences for candidates on May 16.

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JONES